

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

DEREK WILLIAM BROWN, #1987097

VS. § CIVIL ACTION NO. 6:18cv209

DALE WAINWRIGHT, ET AL. §

ORDER OF PARTIAL DISMISSAL

Plaintiff Derek William Brown, an inmate confined at the Coffield Unit of the Texas prison system, proceeding *pro se* and *in forma pauperis*, brings this civil rights lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation for the disposition of the lawsuit. Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by Plaintiff to the Report, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections of Plaintiff are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the court. It is accordingly

ORDERED that Plaintiff is permitted to proceed with his excessive use of force claim against Officer Lawrence T. Kemp. Plaintiff's remaining claims are **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1).

SIGNED this the 10th day of August, 2018.

Richard A. Schell
RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE